

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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MILWAUKEE INNER-CITY CONGREGATIONS  
ALLIED FOR HOPE (MICAHA), and  
BLACK HEALTH COALITION OF WISCONSIN,

Plaintiffs,

v.

Case No. 12-C-556

MARK GOTTLIEB, WISCONSIN  
DEPARTMENT OF TRANSPORTATION,  
VICTOR MENDEZ, GEORGE POIRIER,  
FEDERAL HIGHWAY ADMINISTRATION,  
RAY LAHOOD, and U.S. DEPARTMENT OF  
TRANSPORTATION,

Defendants.

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**DEFENDANTS MARK GOTTLIEB AND WISCONSIN DEPARTMENT OF  
TRANSPORTATION'S MOTION TO DISMISS COUNT 5 OF COMPLAINT**

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Defendants Mark Gottlieb and the Wisconsin Department of Transportation hereby move the court for an order dismissing Count 5 of the Complaint under Federal Rule of Civil Procedure 12(b)(1). Defendants rely on the accompanying brief in support of this motion.

Dated this 30<sup>th</sup> day of August, 2012.

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